



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

CNR  
F. #2018R00843

*610 Federal Plaza  
Central Islip, New York 11722*

July 24, 2023

By Hand and ECF

The Honorable Joanna Seybert  
United States District Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re: United States v. Jeffrey Miller  
Criminal Docket No. 18-614 (JS)

Dear Judge Seybert:

The government submits this letter in response to defendant Jeffrey Miller's request for a reduction of his restitution obligation as ordered by Your Honor at sentencing.

As to the defendant's request that the Court limit his overall restitution obligation, the MVRA required that the Court order restitution to "each victim in the full amount of each victim's losses as determined by the Court and without consideration of the economic circumstances of the defendant." 18 U.S.C. § 3664(f)(1)(A). Hence, a defendant concurrently sentenced to forfeit funds and pay restitution is not entitled to have his restitution debt reduced by the Court by the amount already forfeited. See United States v. Torres, 703 F.3d 194, 203 (2d Cir. 2012).

The government takes no position on the defendant's request for to the Department of Justice to consider the defendant's forfeiture of \$288,645.00 as part of his restitution obligation, which was jointly and severably imposed by the Court on the three codefendants in this case.

Respectfully submitted,

BREON PEACE  
United States Attorney

By: /s/ Charles N. Rose  
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